

R. Kent  
3/5/03  
#35

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PTO/SB/30/

**Request  
For  
Continued Examination (RCE)  
Transmittal**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA)

|                        |                |
|------------------------|----------------|
| Application Number     | 09/090,067     |
| Filing Date            | June 3, 1998   |
| First Named Inventor   | Redmond et al. |
| Group Art Unit         | 3722           |
| Examiner Name          | M. Henderson   |
| Attorney Docket Number | P0540          |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, File Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule 65 Fed. Reg. 14864 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Response
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

03/11/2003 RKENT1 00000001 501071 09090067

01 6C:1253  
02 1C:1801930.00 CH  
730.00 CH

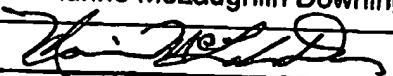
2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.114 when the RCE is filed.

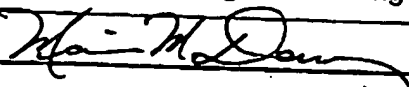
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1071.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fees (37 C.F.R. §§ 1.136 AND 1.17)
- iii. ☐ Other \_\_\_\_\_

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |         |
|-------------------|---|-----------------------------------|---------|
| Name (Print/Type) | Marianne McLaughlin Downing   | Registration No. (Attorney/Agent) | 42,870  |
| Signature         |  | Date                              | 2/24/03 |
|                   |   | February 24, 2003                 |         |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited by fax to 703-872-9303 to Commissioner for Patents, Box RCE, Washington, D.C. 20231 on February 24, 2003.

|                   |   |
|-------------------|---|
| Name (Print/Type) | Marianne McLaughlin Downing   |
| Signature         |  |
| Date              | February 24, 2003   |

## Facsimile Transmittal

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**FAX RECEIVED**  
**FEB 24 2003**  
**GROUP 3700**

**Date:** February 24, 2003**Re:** U.S. Patent Application No. 09/090,067**To:** Examiner M. Henderson**Filed:** June 3, 1998**Fax Number:** 703-872-9303**For:** IDENTIFICATION DOCUMENT WITH  
DOCUMENT SPECIFIC REDUCED  
SCALE PRINTING**From:** Marianne McLaughlin Downing**Art Unit:** 3722**Pages:** 16**Docket No:** P0540D☒ Urgent☐ For Review☐ Please Reply**FACSIMILE COVER LETTER**

Attached is an Amendment and Response accompanying a Request for Continued Examination for the above referenced matter.

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I hereby certify that these papers are being facsimile transmitted to the US Patent Office, 703-872-9303 on February 24, 2003.

  
Marianne McLaughlin Downing, Reg. No. 42,870  
Attorney for Applicant

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MD:imp 02/24/03 P0540

R. Kent  
3/5/03  
#36/F  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Redmond et al.

Art Unit 3722

Application No.: 09/090,067

Confirmation No.: 3497

Filed: June 3, 1998

For: IDENTIFICATION DOCUMENT WITH  
DOCUMENT SPECIFIC REDUCED  
SCALE PRINTING

Examiner: M. Henderson

Date: February 24, 2003

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Marianne McLaughlin Downing, Reg. No. 42,870  
Attorney for Applicant

AMENDMENT AND RESPONSE ACCOMPANYING RCE

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

This Amendment and Response accompanies a concurrently filed Request for Continued Examination (RCE). This Amendment and Response also responds to the Final Rejection dated August 22, 2002. Note that Applicants are using the Revised Amendment Format which was announced as permissible for all applicants in a 1/31/03 notice posted to the United States Patent Office web page.

Responsive to the Office Action dated August 22, 2002, please amend the subject application as follows: